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Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LOUISE ANN DROMMOND

1220 E. Avenida Kino
Casa Grande, Arizona 85222

Registered Nurse License No. 446671

Respondent.

Case No.

ACCUSATION

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DEPT. OF CONSUMER AFFAIRS
SACRAMENTO, CALIF.
2009186

Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

PARTIES

1. Complainant brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board") Department of Consumer Affairs.

Registered Nurse License

2. On or about September 30, 1989, the Board issued Registered Nurse License Number 446671 to Louise Ann Drommond ("Respondent"). The registered nurse license will expire on July 31, 2009.

JURISDICTION

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
2 section 2750) of the Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a
4 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
5 against the licensee or to render a decision imposing discipline on the license. Under Code
6 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
7 years after the expiration.

8 5. Code section 118, subdivision (b), provides, in pertinent part, that the
9 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
10 action during the period within which the license may be renewed, restored, ~~reissued or~~
11 reinstated.

12 STATUTORY PROVISIONS

13 6. Code section 2761 states, in pertinent part:

14 The board may take disciplinary action against a certified or licensed nurse
15 or deny an application for a certificate or license for any of the following:

16 (a) Unprofessional conduct, which includes, but is not limited to, the
17 following:

18 (4) Denial of licensure, revocation, suspension, restriction, or any other
19 disciplinary action against a health care professional license or certificate by
20 another state or territory of the United States, by any other government agency, or
21 by another California health care professional licensing board. A certified copy of
22 the decision or judgment shall be conclusive evidence of that action.

23 COST RECOVERY

24 7. Code section 125.3 provides, in pertinent part, that the Board may request
25 the administrative law judge to direct a licensee found to have committed a violation or
26 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
27 and enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 8. Respondent's license is subject to disciplinary action under Code section
4 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent has been
5 disciplined by the Arizona State Board of Nursing ("Arizona Board"). Effective November 14,
6 2007, pursuant to the Consent Agreement and Order in Case No. 0702120, filed by the Arizona
7 Board, attached hereto as **Exhibit "A"** and incorporated herein, Respondent's Arizona
8 Professional Nurse License Number RN066851 and Practical Nurse License Number LP021966
9 were placed on suspension for an indefinite period of time with terms and conditions. Following
10 the suspension, Respondent was placed on probation for 18 months with terms and conditions.
11 As a condition of probation, Respondent was ordered to undergo a psychological evaluation,
12 including neuropsychological testing within 12 months of the effective date of the Order. Failure
13 to do so would result in the automatic revocation of Respondent's Arizona licenses for a period
14 of 5 years. The basis for discipline was as follows:

15 a. On numerous occasions between February 16, 2004, to March 30, 2007,
16 while employed at various facilities in Arizona, in the capacity of a registered nurse and/or
17 practical nurse, Respondent's employment from those facilities was terminated for poor work
18 performance, erratic, argumentative and inappropriate behavior and poor patient care.

19 b. Between April 3, 2007, to May 1, 2007, during encounters with various
20 Arizona Board staff, Respondent displayed erratic and inappropriate behavior, including
21 expansive and loud behavior. On numerous occasions Respondent left telephone messages for
22 Board staff in a loud, demanding, and angry voice. Further, when meeting with Board staff,
23 Respondent exhibited exaggerated physical movements such as covering her face with her hands,
24 placing her head on the table, waving her arms about when she spoke, and rolling her eyes.
25 During one of her appointments with Board staff, Respondent was observed pacing and
26 wandering around the parking lot, moving her hands from her face to her sides in an exaggerated
27 fashion.

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 446671, issued
5 to Louise Ann Drommond;

6 2. Ordering Louise Ann Drommond to pay the Board of Registered Nursing
7 the reasonable costs of the investigation and enforcement of this case, pursuant to Code section
8 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.

10
11 DATED: 2/26/09

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13 
14 RUTH ANN TERRY, M.P.H., R.N.
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant
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EXHIBIT A

Arizona State Board of Nursing Consent Agreement and Order

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Janet Napolitano
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200
Phoenix, AZ 85014-3655
Phone (602) 889-5150 Fax (602) 889-5155
E-Mail: arizona@azbn.gov
Home Page: <http://www.azboardofnursing.gov>

AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **Louise A Drommond**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3653 on October 22, 2008.

SEAL

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JOEY RIDENOUR
EXECUTIVE DIRECTOR

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF PROFESSIONAL AND PRACTICAL)	
NURSE LICENSE NOS. RN066851 AND LP021966)	CONSENT AGREEMENT
ISSUED TO:)	AND
LOUISE A. DROMMOND,)	ORDER NO.
)	0702120
RESPONDENT.)	

CONSENT AGREEMENT AND ORDER

A complaint charging Louise A. Drommond ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement and Order ("Order") as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Louise A. Drommond ("Respondent") holds Board issued professional and practical nurse license numbers RN066851 and LP021966 in the State of Arizona. Respondent's practical nurse license has expired.
2. On or about February 28, 2007, a complaint was filed against Respondent, alleging unprofessional conduct at Kindred Hospital in Phoenix, Arizona, while she was employed by Medix Staffing Solutions. Respondent allegedly arrived late, and upon learning her assignment, stated in a loud voice she would not complete her shift. Respondent made derogatory comments about the facility's licensed practical nurses, then went to the kitchen and raised her voice to the cook, causing a disturbance at the facility.
3. During the course of the Board's investigation, the Board subpoenaed records

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pertaining to Respondent's past employment.

4. From on or about February 16, 2004, to on or about September 10, 2004, Respondent was employed as a professional nurse by Mesa General Hospital in Mesa, Arizona. On or about August 27, 2004, M. Slate, RN, documented in a letter to a supervisor that Respondent was disorganized, messy, took many smoke breaks, and became argumentative with the charge nurse. M. Slate, RN, wrote she had never seen Respondent wash her hands, and that she had shoved food into the mouth of a patient with no teeth, causing the patient to "drown." M. Slate, RN, concluded that anyone who worked with Respondent risked their own license.

5. On or about September 10, 2004, according to a letter written by Gail Williams, RNC, at Mesa General Hospital, Respondent did not know her own Pyxis code, delayed medicating a patient for pain, resulting in the patient being in tears from the pain, yelled at a caregiver when the caregiver asked about patient's medications, left the narcotics keys on the counter, and failed to convey information about an antibiotic to Williams.

6. On or about September 10, 2004, Respondent's employment was terminated at Mesa General Hospital. On or about September 11, 2004, in an hour-long conversation with the Facility Compliance and Privacy Officer, Patricia Elliott, Respondent repeated herself with regard to her patient care work, and conversations with physicians. Respondent also stated that she was not emotionally stable enough to look for work.

7. From on or about October 14, 2004, to on or about December 2, 2004, Respondent was employed at Springdale West in Mesa, Arizona. On or about December 2, 2004, Respondent received a final warning for failing to intervene for a patient with an elevated temperature, and refusing to help with noting orders. Respondent responded in a loud and inappropriate manner when asked to assist with taking off orders. Respondent also failed to complete an incident report on a patient who had fallen and hit her head, failed to initiate

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neurological checks, and made an inappropriate entry in the nurses' notes. On or about December 2, 2004, Respondent resigned her employment and was made ineligible for rehire.

8. On or about December 16, 2005, following the death of Respondent's father, Respondent's manager, Ruth Faultner, RN, documented the facility to which Respondent was assigned had complained Respondent exhibited bizarre behavior, such as dancing like she was doing a strip tease, then crying. Respondent was unable to recognize her behavior was not appropriate, and denied events had occurred, although there were witnesses. Respondent became upset and stated she was "trashed" when the services of the Employee Assistance program were offered.

9. On or about January 19, 2006, when Ruth Faultner, RN, informed Respondent she was unable to write a letter to her insurance company, Respondent became extremely upset, hung up, then called back and left 6 different voice messages for her. Respondent accused her manager of being unprofessional and uncaring. When a staff member later contacted her, Respondent kept her on the telephone for 35 minutes, despite being told the staff member needed to terminate the call. Respondent's employment was terminated for unprofessional and inappropriate behavior.

10. From on or about April 5, 2006, to on or about March 30, 2007, Respondent was employed as a professional nurse by Medix Staffing Solutions in Scottsdale, Arizona. On or about February 28, 2007, Respondent was made a do not return ("DNR") for the incident at Kindred Hospital, which was reported to the Board.

11. On or about March 6, 2007, Respondent was made a DNR to the telemetry unit Paradise Valley Hospital, after being rated as "unsatisfactory" in 7 criteria, "needs improvement" in 2 criteria, out of a total of 13 criteria. It was noted that Respondent could not keep up, coughed all day, had no computer skills, and stated many times she was not certified in Advanced Cardiac Life Support, or a telemetry nurse.

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12. On or about March 26, 2006, Respondent was made a DNR to Mercy Gilbert Medical Center, after being rated as "unsatisfactory" in 2 criteria, "needs improvement" in 10 criteria, out of a total of 23 criteria. Four out of 5 patients complained about Respondent, and Respondent "ranted and talked back unceasingly" to the charge nurse about her assignment.

13. On or about March 30, 2007, Respondent's employment with Medix Staffing Solutions was terminated. According to Medix's Clinical Recruiter, Troy Shaw, Respondent displayed erratic and unprofessional behavior that resulted in her termination.

14. On or about April 3, 2007, in a telephone conversation with Board staff, Respondent raised her voice, repeated herself, stuttered, continually interrupted, and spoke over Board staff. The behavior escalated as the conversation proceeded. On or about April 3, 2007, Respondent was requested to submit to a urine drug screen, due to her behavior. Respondent vehemently denied drug use, but agreed to the drug screen. Respondent left 3 additional messages for Board staff in which she rambled, stuttered, repeated herself, and re-stated the location of the laboratory she had chosen for drug screening. The results of the drug screen were negative.

15. On or about April 4, 2007, Respondent contacted multiple non-investigative Board staff about her case. In a later conversation with Valerie Smith, the Associate Director of Nursing Practice and Regulation, Respondent grew increasingly agitated, raised her voice, and rambled about her father having been in the military, "democratic line White House," NASSA reform, federal clearances, Russian involvement, and the Arizona Department of Corrections. Respondent could not be re-directed.

16. On or about April 5, 2007, Respondent came to the Board office to pick up a copy of the complaint which was filed against her license. Respondent engaged in expansive and loud, behavior with others waiting, causing a disturbance in the Board lobby.

17. On or about April 17, 2007, in a scheduled interview with Board staff,

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Respondent repeatedly stated she had been in an auto accident the night before. Respondent was offered the opportunity to reschedule and accepted it, but continued to defend her actions at Kindred Hospital. Respondent's speech was loud, pressured, and repetitive. Respondent required constant re-direction, continued to volunteer information, and provided tangential, rambling answers to questions. When asked if she was willing to undergo a psychological evaluation, Respondent's tone became sarcastic, she started to cry, and responded there was nothing wrong with her. Respondent called the Board staff "morons," and stated they were the ones who needed the drug screens. Respondent was escorted out of the office when she continued to yell despite being asked to lower her voice.

18. On or about April 18, 2007, Respondent left 2 voice messages for Valerie Smith, the Associate Director of Nursing Practice and Regulation. The second message was left immediately after the first. The messages lasted approximately 5 minutes each. Respondent's voice became louder and her tone became angrier as the messages proceeded. Respondent stated repeatedly she did not appreciate the Board staff's opinion of her, because they had asked her for a psychological evaluation.

19. On or about April 30, 2007, in a conversation with Board staff, Respondent stated she had previously met with Valerie Smith and Sydney Munger. Respondent then stated she had not met with Smith. Respondent described a person who represented herself as Smith as "tall and blonde." Respondent repeated tangential questions about the investigation. Respondent mentioned a federal appointment, and her referral into the political arena by Governor Janet Napolitano.

20. On or about May 1, 2007, in an interview with investigator Sydney Munger and Associate Director Valerie Smith, Respondent insisted she had previously met someone who represented herself as Smith. Respondent described this person as red-headed, shorter and smaller boned than Smith.

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21. On or about May 1, 2007, as Respondent reviewed her personnel records, Respondent displayed exaggerated physical movements. Respondent covered her face with her hands, placed her head on the table, and waved her arms when she spoke. Respondent also rolled her eyes, averted her head, and curled her lip, as if grimacing.

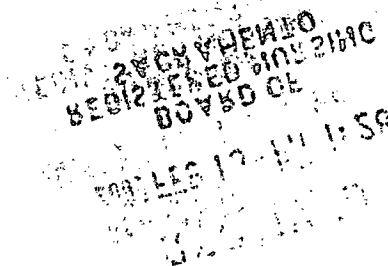
22. On or about May 1, 2007, although asked by Board staff to restrict her responses to the content of each personnel record, Respondent provided information that was unrelated to the records at hand. Respondent provided overly detailed and rambling information. Respondent's tone of voice was loud and caustic.

23. On or about May 1, 2007, in a discussion about her employment at Banner Health Systems Mesa General Hospital, Respondent admitted she was required to be evaluated by a physician in the Occupational Health Department before she was allowed to transfer from the rehab floor to another department. Respondent stated she was not permitted to return to duty after this, and stated she resigned. Respondent tearfully recounted the doctor asked her questions about her mother, who was in a coma following a car accident. Respondent stated she cried 3 times when she was asked the questions, to which the doctor responded her response was not normal.

24. On or about May 1, 2007, following her interview with Board staff, Respondent was observed by several staff members, including Associate Director Valerie Smith, to be pacing and wandering in the parking lot. Respondent placed her hands to her face, then back to her sides, in an exaggerated fashion. Respondent appeared several times as though she were going to fall. Respondent sat for several minutes on a curb before getting into an automobile, where she sat for approximately 20 minutes before starting the car and driving away.

25. On May 16, 2007, the Board summarily suspended Respondent's licenses to protect public health, safety and welfare.

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CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663(D) as defined in A.R.S. § 32-1601(16), (d), (e), and (j), and A.A.C. R4-19-403(B)(1), (9), (10), and (31).

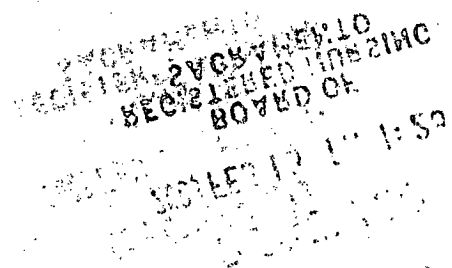
The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(N) to revoke, suspend or take disciplinary action against the license of Respondent to practice as a professional and practical nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law. In lieu of a formal hearing on these issues, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to paragraphs B and E of this Order.

Respondent understands the right to consult legal counsel prior to entering into the Order and such consultation has either been obtained or is waived.

Respondent understands that the term "Order" used throughout this document refers to all pages of the document, including Findings of Fact and, Conclusions of Law, and all suspension/probationary terms and conditions and paragraphs of the Order.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Board's approval or by



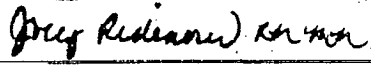
stipulation between the Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.


Louise A. Drommond, Respondent

Dated: 10-30-07

ARIZONA STATE BOARD OF NURSING

SEAL


Joey Ridenour, R.N., M.N.
Executive Director

Dated: 11-14-07

HARBER-Drommond, Louise, RN066851, LP021966

ORDER

In view of the above Findings of Fact, Conclusions of Law and consent of Respondent, the Board hereby issues the following Order.

A Respondent's professional and practical nurse license numbers RN066851 and LP021966 are hereby placed on suspension for an indefinite period, with terms and conditions, followed by probation for 18 months with terms and conditions. Before termination of this Order, Respondent shall work as a professional nurse for a minimum of 18 months (not less than sixteen hours a week).

B. If Respondent fails to undergo a psychological evaluation, to include neuropsychological testing, within 12 months of the effective date of this Order, and/or fails to engage in treatment as recommended by the evaluator within 12 months of the effective

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date of this Order, Respondent's licenses shall be automatically revoked for a period of five years. The Board or its designee, in its sole discretion, shall determine noncompliance with this paragraph. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

C. If Respondent is noncompliant with any of the terms of the Order during the 18-month standard probation portion of the Order, Respondent's noncompliance shall be reviewed by the Board for consideration of possible further discipline on Respondent's nursing licenses.

D. At any time Respondent is required by terms of the Order to provide a copy of the Order to another individual or facility the Respondent must provide all pages of the Consent Agreement and Order beginning on page 1 to the last page of the documents.

E. If Respondent is convicted of a felony, Respondent's licenses shall be automatically revoked for a period of five years. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

F. The indefinite suspension is subject to the following terms and conditions:

TERMS OF INDEFINITE SUSPENSION

1. Surrender of License

Within 7 days of the effective date of the Consent Agreement, Respondent shall surrender her license(s) to the Board and Respondent shall not practice nursing for an indefinite period of time, pending completion of a psychological evaluation, to include neuropsychological testing, and a determination that Respondent is safe to practice nursing. Respondent also must be fully compliant with all the terms of this Consent Agreement prior to lifting the indefinite suspension.

2. Psychological Evaluation/Treatment

Prior to the termination of suspension and within 12 months of the effective date of this Order, Respondent shall make an appointment to undergo a psychological evaluation, to

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include neuropsychological testing, by a Board-approved Psychologist. If the psychological evaluation is not completed within 12-months of the effective date of this Order, Respondent's license(s) shall be automatically revoked for a period of five years. Respondent shall execute the appropriate release of information form(s) to allow the evaluator to communicate information to the Board or its designee. Respondent also shall execute a release of information form to allow Board Staff to release a copy of the report from Dr. Scott Sindelar to the evaluator. Prior to the evaluation, Respondent shall furnish a copy of this Consent Agreement and Order, to include Findings of Fact and Conclusions of Law, to the evaluator who shall verify receipt of the entire Order in a written report on letterhead to the Board. Respondent shall direct the evaluator to provide a report to the Board summarizing the evaluation within thirty days after the evaluation is completed.

The report shall include a history and physical, relevant laboratory data if appropriate, neuropsychological testing, psychological testing if appropriate, recommendations for treatment, if any, and an assessment as to Respondent's ability to function safely in nursing.

Notwithstanding the above, Respondent need not repeat psychological testing under the following circumstances: 1) If Dr. Sindelar agrees that the psychological testing is complete; 2) the evaluating psychologist is provided with full disclosure and access to Dr. Sindelar's report and test findings and results; and 3) the evaluating psychologist determines that no additional psychological testing is required. Respondent shall be required to complete neuropsychological testing.

If it is recommended that Respondent undergo medical treatment and/or psychological therapy or counseling, Respondent shall, within seven days of notification of the recommendation(s), provide to the Board or its designee for prior approval, the name and qualifications of treatment professional(s) with appropriate level of expertise of Respondent's choice. Upon approval of the treatment professional(s), Respondent shall provide a copy of the entire Consent Agreement,

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which the treatment professional(s) shall verify in writing on letterhead in their first report to the Board. Respondent shall undergo and continue treatment until the treatment professional(s) determines and reports to the Board in writing and on letterhead, that treatment is no longer considered necessary. Respondent shall have the treatment professional(s) provide written reports to the Board every three months. The Board reserves the right to amend this Order based on the evaluation results or the treatment professional's recommendations.

3. Completion of Indefinite Suspension

When Respondent has successfully completed the terms of the Indefinite Suspension, Respondent's licenses shall be placed on an 18-month standard probation with terms and conditions.

TERMS OF INDEFINITE SUSPENSION AND STANDARD PROBATION

1. Renewal of License

If Respondent's professional nursing license is expired at the time of the effective date of the Consent Agreement and Order, Respondent must renew the license within 7 days of the effective date. In the event the professional license is scheduled to expire during the duration of this Order, Respondent shall apply for renewal of the professional license and pay the applicable fee before the expiration date. Failure to renew within seven days of the effective date of this Order, if it is expired, or failure to renew a license by the last date in which the license is to expire, shall be considered as noncompliance.

2. Psychological/Medical Treatment/Counseling

After Respondent completes a psychological evaluation, to include neuropsychological testing, and within thirty days of the issuance of the evaluator's report, Respondent shall submit to the Board for approval the name of a treatment professional of Respondent's choice to conduct psychological/medical treatment/counseling as recommended by the evaluator. Within seven days of receipt of approval from the Board, Respondent shall make

an appointment to begin participation in treatment. Respondent shall execute the appropriate release of information form(s) to allow the treating professional(s) to communicate information to the Board or its designee, and Respondent shall immediately provide a copy of the entire Consent Agreement to all treating professional(s). Within seven days of the beginning of treatment, Respondent shall cause any and all treating professional(s) to provide written verification of enrollment in treatment and verifying receipt of the Consent Agreement. Thereafter, Respondent shall cause any and all treating professional(s) to provide quarterly reports to the Board according to the quarterly reporting schedule assigned to Respondent. Respondent shall continue undergoing treatment until the treating professional(s) notify the Board, in writing on letterhead, that treatment is no longer needed. The Board reserves the right to amend the Order based on recommendation(s) of treating professional(s).

3. Release of Information Forms

Respondent shall sign all release of information forms as it relates to the terms of this Order, and as required by the Board or its designee, and return them to the Board within 10 days of the Board's written request. If Respondent fails to execute the releases, her licenses shall be reviewed by the Board for consideration of possible further discipline.

4. Interview with the Board or Its Designee

Respondent shall appear in person or if residing out of state, telephonically for interviews with the Board or its designee upon request and with at least 2 days notice.

5. Change of Employment/Personal Address/Telephone Number

Respondent shall notify the Board, in writing, within 7 days of any change in nursing employment, personal address or telephone number.

6. Obey All Laws

Respondent shall obey all federal, state and local laws, and all laws/rules governing the practice of nursing in this state. Offenses or convictions such as driving under the

influence may subject Respondent to further disciplinary action. Minor civil traffic violations are excluded.

7. Costs

Respondent shall bear all costs of complying with this Order.

8. Voluntary Surrender of License

Respondent may, at any time this Order is in effect, voluntarily request surrender of her license(s).

9. Violation of Terms of Consent Agreement and Order

During the Indefinite Suspension portion of the Order, if Respondent fails to comply with the terms of the Order in paragraph 2 at page 10 (Psychological Evaluation/Treatment), Respondent's licenses shall be automatically revoked for a period of five years.

During the standard probation (*last 18 months*) portion of the Order, if Respondent is noncompliant with the terms of the Order in any respect, Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this agreement after affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

TERMS OF STANDARD PROBATION

1. Stamping of License

Following successful completion of the Indefinite Suspension, Respondent's licenses shall be stamped "Probation" and returned to Respondent. While this Order is in effect, if the Board issues any certificates or licenses authorized by statute, except a nursing assistant

certificate, such certificate or license shall also be stamped "PROBATION." Respondent is not eligible for a multistate "Compact" license.

2. Notification of Practice Settings

Any setting in which Respondent accepts employment, which requires RN licensure, shall be provided with a copy of the entire Order on or before the date of hire. Within seventy-two hours of Respondent's date of hire, Respondent shall cause her immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgment of the supervisor's receipt of a copy of this Consent Agreement and Order and the employer's ability to comply with the conditions of probation.

In the event Respondent is attending a nursing program, Respondent shall provide a copy of the entire Consent Agreement and Order to the Program Director. Respondent shall cause the Program Director to inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a copy of the Consent Agreement and Order and the program's ability to comply with the conditions of probation during clinical experiences.

3. Quarterly Reports

Within 7 days of each assigned quarterly report due date, if Respondent is working in any non-registry position which requires RN licensure Respondent shall cause every employer Respondent has worked for during the quarter to provide to the Board, in writing, employer evaluations on the Board-approved form. The first report is due on the first assigned quarterly report due date after the date of employment. If Respondent is working for a registry, block assigned to one facility for no less than 16 weeks, Respondent shall cause her direct supervisor, at the facility where she is working, to submit monthly employer evaluations on the Board-approved form. The first report is due on the 30th of the month and then monthly thereafter. Receipt of notice of an unsatisfactory employer evaluation, verbal or written

warning, counseling or disciplinary action, any of which pertain to patient care, practice issues, or termination from a place of employment shall be considered as noncompliance.

In the event Respondent is not working in a position that requires nursing licensure, or attending school during any quarter or portion thereof, Respondent shall complete and provide to the Board, in writing, a Board approved self-report form.

4. Practice Under Direct Supervision

Respondent shall practice as a professional nurse or in a student nurse capacity, only under the direct supervision of a professional nurse in good standing with the Board.

Direct supervision is defined as having a professional nurse present on the same unit with Respondent when Respondent is practicing as a professional nurse. The supervising nurse shall have read this Consent Agreement and Order and shall provide input on Respondent's employer evaluations to the Board. The supervising nurse shall be primarily one person, who may periodically delegate to other qualified professional nurses who shall also have read this Consent Agreement and Order. In the event that the assigned supervising nurse is no longer responsible for the supervision required by this paragraph, Respondent shall cause her new supervising nurse to inform the Board, in writing and on employer letterhead, acknowledging the new supervisor's receipt of a copy of this Consent Agreement and Order and the new supervisor's ability to comply with the conditions of probation within ten days of assignment of a new supervising nurse.

5. Acceptable Hours of Work

Respondent shall work only the day or evening shift. Evening shift is defined as a shift that ends prior to midnight. Within a 14-day period Respondent shall not work more than 84 scheduled hours.

Respondent may work three 12-hour shifts in one seven day period and four 12-hour shifts in the other seven-day period, but Respondent may not work more than 3 consecutive

12-hour shifts during this probationary period. Respondent shall not work 2 consecutive 8 hour shifts within a 24 hour period or be scheduled to work 16 hours within a 24 hour period.

6. Prohibited Work Settings

Respondent may not work for a home health, traveling nurse agency, any other temporary employing agencies, float pool, or position that requires on-call status.

Notwithstanding the above, Respondent may work for a single nursing registry, contingent upon being blocked assigned to one facility for a period of time not less than 16 weeks, and contingent upon the direct supervision requirements as identified in paragraph 5 being met. Respondent shall cause her primary employer to notify the Board in writing, on letterhead, that they have employed Respondent and the name of the facility where Respondent is blocked assigned for a period of time that is no less than 16 weeks (block assignment). Additionally, Respondent shall cause her direct supervisor at the facility where she is block assigned, to notify the Board, on letterhead, confirming that they have received a copy of Respondent's Consent Agreement and Order and: (1) are able to provide the supervision as required by the Consent Agreement and Order; and; (2) will provide monthly reports to the Board, on Board approved forms.

7. Out of State Practice/Residence

Respondent may comply with the terms and conditions of this Consent Agreement by working as a professional nurse in the State of California. Before any other out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, the Board must first approve out-of-state practice or residence.

8. Violation of Probation

During the Indefinite Suspension portion of the Order, if Respondent fails to complete the psychological evaluation, to include neuropsychological testing, within 12 months of the effective date of this Order, Respondent's licenses shall be automatically revoked for a period of five years.

During the Indefinite Suspension portion of the Order, if Respondent fails to initiate treatment as recommended by the evaluator within 12 months of the effective date of this Order, Respondent's licenses **shall be automatically revoked for a period of five years.**

During the standard probation portion of the Order, if Respondent is noncompliant with the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this Consent Agreement and Order after affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

9. Completion of Probation

Respondent is not eligible for early release from the terms of probation. At the end of the 18-month probation period, Respondent shall request formal review by the Board, and, after formal review by the Board, Respondent's nurse license may be fully restored by the appropriate Board action if compliance with the Board Order has been demonstrated.

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour

Joey Ridenour, R.N., M.N.
Executive Director

Dated: 11-14-07

JR/SB:kz

COPY mailed this 15th day of November, 2007, by First Class Mail, to:

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Nurse Consultant, Hearing Dept.

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